

DIAMOND McCARTHY LLP
 Sheila M. Gowan, Esq.
 620 Eighth Avenue, 39th Floor
 New York, New York 10018
 (212) 430-5404
 sgowan@diamondmccarthy.com

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X		
D.B. ZWIRN SPECIAL OPPORTUNITIES	:	08 Civ. 5438 (RJH)(GWG)
FUND, L.P.,	:	ECF CASE
	:	
Plaintiff,	:	NOTICE OF MOTION FOR
	:	<u>ADMISSIONS PRO HAC VICE</u>
-against-	:	
	:	
SCC ACQUISITIONS, INC., and JOHN DOE	:	
1 through JOHN DOE 100,	:	
	:	
Defendants.	:	
-----X		

PLEASE TAKE NOTICE that, upon the affidavit of Sheila M. Gowan, Esq., sworn to June 26, 2008, and petitions of Kerri A. Jaffe, Esq., sworn to June 25, 2008, T. Jeffrey Lewellen, Esq., sworn to June 25, 2008, Joseph E. Thomas, Esq., sworn to June 25, 2008, and J. Russell Tyler, Jr., Esq., sworn to June 25, 2008, and the exhibits annexed hereto, and upon all prior papers filed and proceedings heretofore had herein, defendant SCC Acquisitions, Inc. will move this Court, before the Honorable Richard J. Holwell, Courtroom 17B, at the United States Courthouse for the Southern District of New York located at 500 Pearl Street, New York, New York 10007, as soon as this motion can be heard, for an Order pursuant to Local Civil Rule 1.3(c), admitting Ms.

655381
 JUN 27 2008

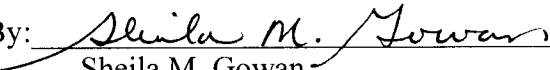
JUN 27 11:16
 U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

Jaffe and Messrs. Lewellen, Thomas and Tyler, *pro hac vice*, to argue or try this case in whole or in part, and permitting their firm, Thomas Whitelaw & Tyler LLP, to file a Notice of Appearance designating them as additional attorneys-of-record for defendant SCC Acquisitions, Inc. in this action.

Dated: New York, New York
June 26, 2008

Respectfully submitted,

DIAMOND McCARTHY, LLP
Attorneys for Defendant
SCC Acquisitions, Inc.

By: 
Sheila M. Gowan
620 Eighth Avenue, 39th Floor
New York, New York 10018
(212) 430-5400

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
	:
D.B. ZWIRN SPECIAL OPPORTUNITIES FUND, L.P.,	:
	: 08 Civ. 05438 (RJH) (GWG)
	: ECF CASE
Plaintiff,	:
	:
-against-	:
	: AFFIDAVIT OF SHEILA
	: M. GOWAN IN SUPPORT
SCC ACQUISITIONS, INC., and JOHN DOE	:
1 through JOHN DOE 100,	: OF MOTION TO
	: <u>APPEAR PRO HAC VICE</u>
	:
-----X	

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

SHEILA M. GOWAN, being duly sworn, deposes and states:

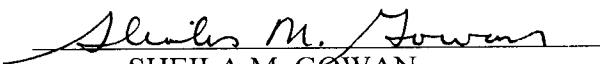
1. I am a member of the bars of the State of New York and of this Court, and a member of the firm Diamond McCarthy, LLP, attorneys for defendant SCC Acquisitions, Inc. in the above-captioned action. This affidavit is made in support of defendant's motion for an Order, pursuant to Local Civil Rule 1.3(c), admitting Kerri A. Jaffe, Esq., T. Jeffrey Lewellen, Esq., Joseph E. Thomas, Esq., and J. Russell Tyler, Jr., *pro hac vice*, to argue or try this case in whole or in part, and permitting Thomas Whitelaw & Tyler LLP to file a Notice of Appearance designating, as additional attorneys-of-record for defendant, SCC Acquisitions, Inc., herein.

2. Ms. Jaffe and Messrs. Lewellen, Thomas and Tyler, each have submitted a petition in support of this motion. As can be seen from their respective petitions, Ms. Jaffe and Messrs. Lewellen, Thomas and Tyler are members of the firm.

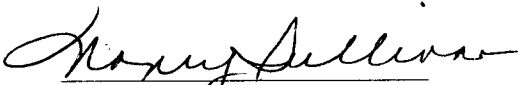
Ms. Jaffe is a member in good standing of the bar of California; Mr. Lewellen is a member in good standing of the bar of California; Mr. Thomas is a member in good standing of the bar of California; and Mr. Tyler is a member in good standing of the bar of California and the bar of Utah. The relevant Certificates of Good Standing are annexed as Exhibit A to each of their petitions.

3. Also, as stated in their petitions, Ms. Jaffe and Messrs. Lewellen, Thomas and Tyler, each are familiar with the facts of this case. They each state that they have read and are familiar with the rules of this Court, and they each have agreed to abide by these rules.

WHEREFORE, your deponent respectfully requests that the within motion for an Order (i) admitting Ms. Jaffe and Messrs. Lewellen, Thomas and Tyler, *pro hac vice*, to argue or try this case in whole or in part, and (ii) permitting Thomas Whitelaw & Tyler LLP to file a Notice of Appearance designating, Ms. Jaffe and Messrs. Lewellen, Thomas and Tyler as additional attorneys-of-record for plaintiff herein, be granted in all respects.


SHEILA M. GOWAN

Sworn to before me this
26 day of June, 2008


Notary Public

NANCY SULLIVAN
Notary Public, State of New York
No. 01SU4742078
Qualified in Suffolk County
Commission Expires March 30, 20 11

DIAMOND MCCARTHY LLP
Sheila M. Gowan, Esq.
620 Eighth Avenue, 39th Floor
New York, New York 10018
(212) 430-5400
sgowan@diamondmccarthy.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

D.B. ZWIRN SPECIAL OPPORTUNITIES FUND, L.P.,	:	CASE NO. 1:08-CV-05438- RJH (GWG)
Plaintiff,	:	ECF CASE
-against-	:	AFFIDAVIT OF KERRI A. JAFJE IN SUPPORT OF
SCC ACQUISITIONS, INC., and JOHN DOE 1 through JOHN DOE 100,	:	MOTION TO APPEAR <i>PRO</i> <i>HAC VICE</i>
Defendants.	:	

-----X

STATE OF CALIFORNIA)
) ss.:
COUNTY OF ORANGE)

KERRI A. JAFJE, being duly sworn, deposes and states:

1. This Affidavit is submitted in support of the motion seeking my *pro hac vice* admission to represent the defendant SCC Acquisitions, Inc. in the above-captioned action before this Court.

2. I am a member in good standing of the Bar of the State of California and have been since 2005. Attached hereto as Exhibit A is a good standing

certificate from the State Bar of California attesting as to my good standing. I am also a member of the Central, Eastern and Northern Districts of California.

3. I am a member of the law firm of Thomas Whitelaw & Tyler LLP and maintain an office at 18101 Von Karman Avenue, Suite 230, Irvine, CA 92612.

4. I have never been held in contempt of court.

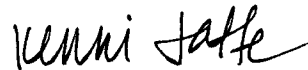
5. I have never been censured, suspended or disbarred by any court.

6. I have read the rules of the United States District Court for the Southern District of New York and I am familiar with them.

7. I have been one of the principal attorneys responsible for the above-captioned action and I am fully familiar with all proceedings herein. I hereby request that I be permitted to try the case with Sheila M. Gowan, local counsel.


6. I hereby undertake that the fee of \$25.00 for *pro hac vice* admission will be paid to the clerk of the Court, Cashier's Office.

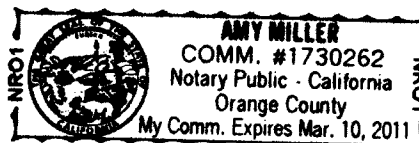
WHEREFORE, I submit this Petition seeking my admission *pro hac vice* to represent plaintiffs in the above-captioned action.



KERRI A. JAFFE

Sworn to before me this
25th day of June, 2008


Notary Public





THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, KERRI ANN RICH JAFFE, #239667 was admitted to the practice of law in this state by the Supreme Court of California on December 7, 2005; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Dina DiLoreto".

Dina DiLoreto
Director of Administration

DIAMOND McCARTHY LLP
 Sheila M. Gowan, Esq.
 620 Eighth Avenue, 39th Floor
 New York, New York 10018
 (212) 430-5400
 sgowan@diamondmccarthy.com

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- X		:	
D.B. ZWIRN SPECIAL OPPORTUNITIES		:	CASE NO. 1:08-CV-05438-
FUND, L.P.,		:	RJH (GWG)
	Plaintiff,	:	ECF CASE
	-against-	:	AFFIDAVIT OF T. JEFFREY
		:	LEWELLEN IN SUPPORT OF
SCC ACQUISITIONS, INC., and JOHN DOE		:	MOTION TO APPEAR <i>PRO</i>
1 through JOHN DOE 100,		:	<i>HAC VICE</i>
		:	
	Defendants.	:	
----- X			

STATE OF CALIFORNIA)
) ss.:
 COUNTY OF ORANGE)

T. JEFFREY LEWELLEN, being duly sworn, deposes and states:

1. This Affidavit is submitted in support of the motion seeking my *pro hac vice* admission to represent the defendant SCC Acquisitions, Inc. in the above-captioned action before this Court.

2. I am a member in good standing of the Bar of the State of California and have been since 2006. Attached hereto as Exhibit A is a good standing

certificate from the State Bar of California attesting as to my good standing. I am also a member of the Central District of California.

3. I am a member of the law firm of Thomas Whitelaw & Tyler LLP and maintain an office at 18101 Von Karman Avenue, Suite 230, Irvine, CA 92612.

4. I have never been held in contempt of court.

5. I have never been censured, suspended or disbarred by any court.

6. I have read the rules of the United States District Court for the Southern District of New York and I am familiar with them.

7. I have been one of the principal attorneys responsible for the above-captioned action and I am fully familiar with all proceedings herein. I hereby request that I be permitted to try the case with Sheila M. Gowan, local counsel.

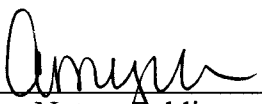
6. I hereby undertake that the fee of \$25.00 for *pro hac vice* admission will be paid to the clerk of the Court, Cashier's Office.

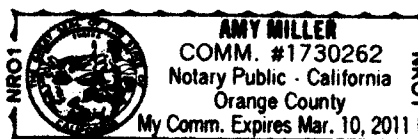
WHEREFORE, I submit this Petition seeking my admission *pro hac vice* to represent plaintiffs in the above-captioned action.



T. JEFFREY LEWELLEN

Sworn to before me this
25th day of June, 2008



Notary Public



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, TODD JEFFREY LEWELLEN, #243467 was admitted to the practice of law in this state by the Supreme Court of California on June 7, 2006; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to be "Dina DiLoreto".

Dina DiLoreto
Director of Administration

DIAMOND McCARTHY LLP
Sheila M. Gowan, Esq.
620 Eighth Avenue, 39th Floor
New York, New York 10018
(212) 430-5400
sgowan@diamondmccarthy.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
D.B. ZWIRN SPECIAL OPPORTUNITIES :
FUND, L.P., : CASE NO. 1:08-CV-05438-
 : RJH (GWG)
 :
Plaintiff, : ECF CASE
 :
-against- : AFFIDAVIT OF JOSEPH E.
 : THOMAS IN SUPPORT OF
 : MOTION TO APPEAR *PRO*
 : *HAC VICE*
 :
SCC ACQUISITIONS, INC., and JOHN DOE :
1 through JOHN DOE 100, :
 :
Defendants. :
----- X

STATE OF CALIFORNIA)
) ss.:
COUNTY OF ORANGE)

JOSEPH E. THOMAS, being duly sworn, deposes and states:

1. This Affidavit is submitted in support of the motion seeking my *pro hac vice* admission to represent the defendant SCC Acquisitions, Inc. in the above-captioned action before this Court.

2. I am a member in good standing of the Bar of the State of California and have been since 1981. Attached hereto as Exhibit A is a good standing

certificate from the State Bar of California attesting as to my good standing. I am also a member of the Central, Eastern and Northern Districts of California.

3. I am a member of the law firm of Thomas Whitelaw & Tyler LLP and maintain an office at 18101 Von Karman Avenue, Suite 230, Irvine, CA 92612.

4. I have never been held in contempt of court.

5. I have never been censured, suspended or disbarred by any court.

6. I have read the rules of the United States District Court for the Southern District of New York and I am familiar with them.

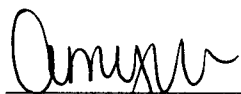
7. I have been one of the principal attorneys responsible for the above-captioned action and I am fully familiar with all proceedings herein. I hereby request that I be permitted to try the case with Sheila M. Gowan, local counsel.

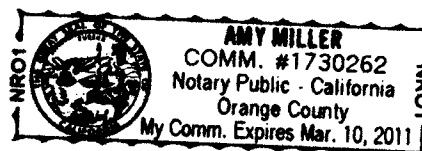
6. I hereby undertake that the fee of \$25.00 for *pro hac vice* admission will be paid to the clerk of the Court, Cashier's Office.

WHEREFORE, I submit this Petition seeking my admission *pro hac vice* to represent plaintiffs in the above-captioned action.


JOSEPH E. THOMAS

Sworn to before me this
25th day of June, 2008


Notary Public





THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JOSEPH EDWARD THOMAS, #101443 was admitted to the practice of law in this state by the Supreme Court of California on December 1, 1981; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Dina DiLoreto".

Dina DiLoreto
Director of Administration

DIAMOND McCARTHY LLP
 Sheila M. Gowan, Esq.
 620 Eighth Avenue, 39th Floor
 New York, New York 10018
 (212) 430-5400
 sgowan@diamondmccarthy.com

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- X		:
D.B. ZWIRN SPECIAL OPPORTUNITIES	:	CASE NO. 1:08-CV-05438-
FUND, L.P.,	:	RJH (GWG)
Plaintiff,	:	ECF CASE
-against-	:	AFFIDAVIT OF J. RUSSELL
SCC ACQUISITIONS, INC., and JOHN DOE	:	TYLER, JR. IN SUPPORT OF
1 through JOHN DOE 100,	:	MOTION TO APPEAR <i>PRO</i>
Defendants.	:	<i>HAC VICE</i>
----- X		:

STATE OF CALIFORNIA)
) ss.:
 COUNTY OF ORANGE)

J. RUSSELL TYLER, JR., being duly sworn, deposes and states:

1. This Affidavit is submitted in support of the motion seeking my *pro hac vice* admission to represent the defendant SCC Acquisitions, Inc. in the above-captioned action before this Court.

2. I am a member in good standing of the Bar of the State of California and have been since 1986, and the Bar of the State of Utah since 2000 (inactive). Attached hereto as Exhibit A are good standing certificate from the State Bar

of California and the Bar of the State of Utah attesting as to my good standing. I am also a member of the Central and Northern Districts of California, the Ninth Circuit Court of Appeals, and the District of Colorado.

3. I am a member of the law firm of Thomas Whitelaw & Tyler LLP and maintain an office at 18101 Von Karman Avenue, Suite 230, Irvine, CA 92612.

4. I have never been held in contempt of court.

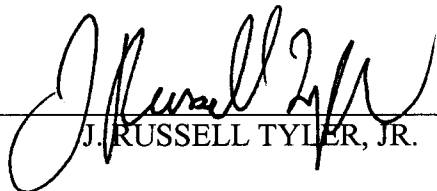
5. I have never been censured, suspended or disbarred by any court.

6. I have read the rules of the United States District Court for the Southern District of New York and I am familiar with them.

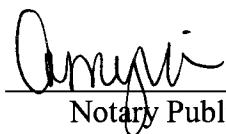
7. I have been one of the principal attorneys responsible for the above-captioned action and I am fully familiar with all proceedings herein. I hereby request that I be permitted to try the case with Sheila M. Gowan, local counsel.

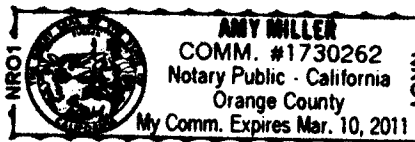
6. I hereby undertake that the fee of \$25.00 for *pro hac vice* admission will be paid to the clerk of the Court, Cashier's Office.

WHEREFORE, I submit this Petition seeking my admission *pro hac vice* to represent plaintiffs in the above-captioned action.


J. RUSSELL TYLER, JR.

Sworn to before me this
25th day of June, 2008


Notary Public





THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2008

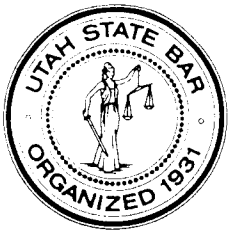
TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, J. RUSSELL TYLER, JR., #126458 was admitted to the practice of law in this state by the Supreme Court of California on December 11, 1986; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Dina DiLoreto".

Dina DiLoreto
Director of Administration



John C. Baldwin
Executive Director

Utah State Bar

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834
Telephone: 801-531-9077 • Fax: 801-531-0660

June 18, 2008

To Whom It May Concern:

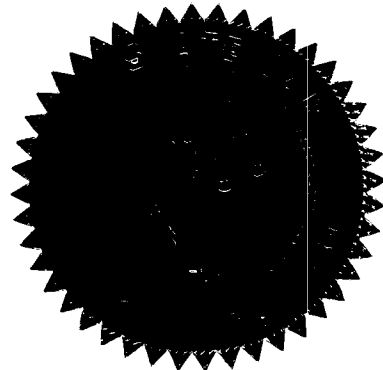
This is to certify that **J. Russell Tyler, Jr.**, Utah State Bar No. **08412**, was admitted to practice law in Utah on **October 16, 2000** and is an inactive member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **J. Russell Tyler, Jr.** to practice law.

Katherine A. Fox
General Counsel
Utah State Bar

Board of Commissioners

V. Lowry Snow
President
Nathan Alder
President-Elect
Steven R. Burt, AIA
Christian W. Clinger
Yvette D. Diaz
Mary Kay Griffin, CPA
Robert L. Jeffs
Curtis M. Jensen
Felshaw King
Lori W. Nelson
Herm Olsen
Stephen W. Owens
Scott R. Sabey
Rodney G. Snow



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
D.B. ZWIRN SPECIAL OPPORTUNITIES
FUND, L.P., : 08 Civ. 5438 (RJH)(GWG)
ECF CASE
Plaintiff, :
-against- : ORDER GRANTING
MOTION TO
SCC ACQUISITIONS, INC., and JOHN DOE : APPEAR *PRO HAC VICE*
1 through JOHN DOE 100, :
-----X

This matter is before the Court on the motion of defendant SCC Acquisition, Inc. to allow Kerri A. Jaffe, T. Jeffrey Lewellen, Joseph E. Thomas and J. Russell Tyler, Jr. to be admitted *pro hac vice* to practice before this Court.

Kerri A. Jaffe, T. Jeffrey Lewellen, Joseph E. Thomas and J. Russell Tyler, Jr. have filed their Petitions and Certifications in accordance with Local Rules of this Court and have certified that they will abide by the rules, conditions and provisions of the District Court. Accordingly, based on the foregoing, and for good cause shown, it is

ORDERED that Kerri A. Jaffe, T. Jeffrey Lewellen, Joseph E. Thomas and J. Russell Tyler, Jr. be and hereby are, admitted to practice before this Court in this matter.

IT IS SO ORDERED

Dated: New York, New York
June __, 2008

Hon. Richard J. Holwell
United States District Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

D.B. ZWIRN SPECIAL OPPORTUNITIES :
FUND, L.P. :

08 Civ. 5438 (RJH)

Plaintiff,

v.

SCC ACQUISITIONS, INC. AND JOHN DOE :
I through JOHN DOE 100 :

Defendants. :

AFFIDAVIT OF SERVICE

-----X

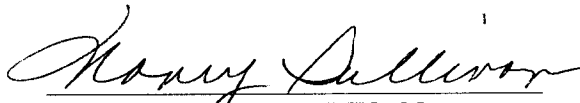
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

NANCY SULLIVAN, being duly sworn, deposes and says:

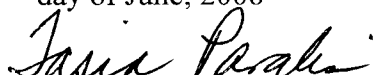
1. I am not a party to the action, am over eighteen years of age and reside in Suffolk County, State of New York.

2. On June 26, 2008, I served the within Notice of Motion for Admission *Pro Hac* Vice in the above-captioned action by depositing a true copy thereof in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to:

Steven Sinatra, Esq.
Daniel R. Milstein, Esq.
GREENBERG TAURIG, LLP
MetLife Building
200 Park Avenue
New York, NY 10166


NANCY SULLIVAN

Sworn to before me this
26th day of June, 2008



Notary Public

TASIA PAVALIS
Notary Public, State of New York
No. 31-4851729
Qualified in New York County
Commission Expires February 3, 2010